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## WISCONSIN LEGISLATIVE COUNCIL

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*Terry C. Anderson, Director*  
*Laura D. Rose, Deputy Director*

TO: REPRESENTATIVE DON PRIDEMORE, CHAIRPERSON, ASSEMBLY COMMITTEE  
ON EDUCATION REFORM

FROM: Russ Whitesel, Senior Staff Attorney

RE: 2007 Assembly Bill 286, Relating to Virtual Schools

DATE: May 21, 2007

This memorandum describes the provisions of 2007 Assembly Bill 286 and also the provisions of Assembly Substitute Amendment 1 to 2007 Assembly Bill 286, relating to virtual schools.

### **Current Law**

Under the current open enrollment program, pupils may attend any public school located outside of his or her school district of residence, if the pupil's parent or guardian complies with certain procedures and meets certain application deadlines. School boards' acceptance and rejection criteria for open enrollment applications may include, among other things, availability of space.

Under current law, an applicant for open enrollment must submit his or her application between the first Monday in February and the third Friday in February preceding the school year in which the pupil wishes to attend a nonresident school district. The nonresident school district may not act on an application until the application period ends. Further, the nonresident and resident school districts must notify the pupil of his or her acceptance or rejection by the first Friday following the first Monday in April. If an application is accepted, by the second Friday following the first Monday in May, the nonresident school district must notify the applicant of the specific school or program that the pupil may attend. The pupil's parent must notify the nonresident school district of the pupil's intent to attend that school district by the first Friday following the first Monday in June.

### **Provisions of Assembly Bill 286 and Assembly Substitute Amendment 1 to Assembly Bill 286**

The original bill provides a different timeline for an application to attend a virtual charter school under the open enrollment program. Assembly Substitute Amendment 1 makes this new timeline for an application available only if the application is either from a pupil who moves to this state or moves to a

different school district after the third Friday in February. The original legislation would have applied to all applicants for open enrollment.

Assembly Bill 286 and Assembly Substitute Amendment 1 both define a virtual charter school as a charter school in which instruction is provided primarily through means of the Internet and the pupils and teachers are geographically remote from each other. Under both the bill and the substitute amendment to Assembly Bill 286, an application from a pupil who either moves to this state or moves to a different school after the third Friday in February is due by July 1; the school districts may act on the application at any time but must accept or reject the application by August 8; the pupil's parent must notify the nonresident school board of the pupil's intent to attend school in that school district by August 22.

If you have any further questions regarding this matter or legislation, please feel free to contact me directly at the Legislative Council staff offices.

RW:jb:jal